The

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Confirmation No. 2788

Makoto KIMURA

Attorney Docket No. 2001 1052A

Serial No. 09/910,908

Group Art Unit 2611

Filed July 24, 2001

Examiner Sumaiya A. Chowdhury

INFORMATION SERVICE SYSTEM LINKED TO BROADCASTING SYSTEM

Mail Stop Amendment

RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

IME COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Sir:

An Office Action dated August 1, 2005 required the Applicant to elect one of the three species identified as the first through third embodiments of the above-identified application. In response to the Office Action, an (1) Amendment and Response to Species Election Requirement and (2) Information Disclosure Statement (IDS) were filed in the U.S. Patent and Trademark Office (PTO) on September 1, 2005.

The September 1, 2005 Amendment and Response to Species Election Requirement was effective to elect Species B corresponding to the second embodiment of the present invention, on which claims 8 and 10-11 read, and to amend claim 8 to include the limitations of original claim 9.

However, the Applicant's attorney was contacted by the Examiner to request a status update as to whether a response to the Office Action was filed. In particular, the Examiner indicated that the September 1, 2005 IDS was of record in the present application, but that the records of the PTO did not reflect that a response to the Office Action was filed.

As *prima facie* evidence that the Amendment and Response to Species Election Requirement was filed in the PTO on September 1, 2005, the Applicant submits herewith a copy of a PTO date-stamped postcard indicating that the Amendment and Response to Species Election Requirement was received by the PTO on September 1, 2005 for the present application.

A courtesy copy of the September 1, 2005 Amendment and Response to Species Election Requirement is also submitted herewith.

Having fully responded to the species election requirement contained in the August 1, 2005 Office Action, the Applicant respectfully requests a full examination on the merits of the elected species.

Respectfully submitted,

Makoto KIMURA

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ATTY DOCKET #: 2001 1052A

Due Date: September 1, 2005

Confirmation No. 2788

OUR REF:

2001_1052A/JRB/00325

Applicant:

Makoto KIMURA

Serial No.:

09/910,908

Filing Date: July 24, 2001

Title: INFORMATION SERVICE SYSTEM LINKED TO BROADCASTING SYSTEM

Receipt of the following papers is acknowledged:

1. Information Disclosure Statement, Form PTO-1449 and 3 references

2. Amendment and Response to Species Election Requirement

SEP 0 1 7005

Date: September 1, 2005

Attorney: JRB/nrj

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